



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

Paper No. 3

Leah Sherry
OPPENHEIMER WOLFF & DONNELLY LLP
1400 Page Mill Road
Palo Alto, CA 94304

COPY MAILED

AUG 26 2002

OFFICE OF PETITIONS

In re Application of
Priem et al.
Application No. 10/042,733
Filed: October 25, 2000
Attorney Docket No. 18659.15

DECISION GRANTING PETITION

This is a decision on the petition filed May 31, 2002, requesting that an application of Curtis Priem et al. entitled "METHOD AND APPARATUS FOR PROVIDING A VERTEX CACHE" (attorney docket No. 18659.15) be accorded a filing date of October 25, 2000.

Petitioners allege that the original application papers were deposited in Express Mail service on October 25, 2000, in accordance with the procedures set forth in 37 CFR 1.10 and that the application is entitled to the date of deposit in Express Mail service as the filing date. In support, petitioners have supplied a copy of the original application papers showing the Express Mail label No. EL654882526US thereon and a copy of the Express Mail label No. EL654882526US showing a "date-in" of October 25, 2000. The papers filed on May 31, 2002, also included a copy of a postcard receipt acknowledging the filing in the Office on October 25, 2000, of, inter alia, a transmittal letter, 20 pages of specification, 4 sheets of drawings, a preliminary amendment, a check for \$710.00 for the filing fee, and a copy of a declaration.

The original papers identified on the postcard receipt have now been located in the Office. The original papers were erroneously placed in prior application No. 09/053,998.

The petition to accord the application a filing date of October 25, 2000, is granted. No petition fee is required and none has been charged.

The original application papers contain stamp markings made by the Office on multiple pages of the specification and drawings which make some of the text illegible. Accordingly, the duplicate papers received May 31, 2002, will be used to process the application. The application has been assigned application No. 10/042,733. The copy of the application papers submitted by facsimile on March 27, 2001, have been placed in application No. 10/042,733 but will not be entered or used during the processing and examination of the application.

After mailing of this decision, the \$710.00 filing fee that was applied to application No. 09/053,998 will be applied to application No. 10/042,733.

Thereafter, the application will be forwarded to Initial Patent Examination Division for further processing with a filing date of October 25, 2000, using the copy of the application papers supplied on May 31, 2002.

Telephone inquiries specific to this matter should be directed to the undersigned at (703) 306-5586.



Eugenia A. Jones
Senior Legal Advisor
Office of Patent Legal Administration
Office of the Deputy Commissioner
for Patent Examination Policy